

# CITY OF ANGELS CITY COUNCIL MINUTES

**Tuesday, March 1, 2011**

Council Members Present: Jack Boeding (Mayor), Jack Lynch (Vice Mayor), Elaine Morris, Craig Turco and Stuart Raggio

Staff Present: David Richards, Richard Matranga, Dave Hanham, Melisa Ralston, Todd Fordahl and Mary Kelly

## **5:00 P.M. CALL TO ORDER**

### **ADJOURN TO CLOSED SESSION**

- A. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO California Code Section 54957.6: Police MOU, City employee representatives: Council Members Turco and Lynch

## **6:00 P.M. RECONVENE TO REGULAR CITY COUNCIL MEETING**

### **ACTION TAKEN IN CLOSED SESSION**

- A. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO California Code Section 54957.6: Police MOU, City employee representatives: Council Members Turco and Lynch  
Action Taken: Negotiators given direction to proceed with MOU discussions.

### **APPROVAL OF AGENDA**

Agenda was approved by consensus

### **STAFF UPDATES**

**Dave Hanham** – Planning Director

- Received proposal for façade historical project.

**Melisa Ralston** – Finance Officer

- Finance software conversion underway

**Vanessa Apodaca** – City Engineer

- Water Treatment Plant work postponed due to the weather,
- Received encroachment permit from Caltrans for transit transfer station.

**Dave Richards** – City Administrator

- Updated report included in packet

### **COUNCIL UPDATES**

#### **Council Member Turco**

- POA meetings continuing. Next meeting is on the 22<sup>nd</sup> of March.

#### **Council Member Lynch**

- Attended POA meetings, UPA and LAFCO.
- Met with representative from Dan Lungren's office. Discussed sidewalk issue.

#### **Council Member Raggio**

- Attended LAFCO. Was pleased to hear that the City is the only City on track with their maintenance.

#### **Mayor Boeding**

- Attended meeting with Lungren reps. Discussed lowering of New Melones.

## **PUBLIC COMMENTS**

**Bob Petithomme** – Chair, Museum Commission

- Introduced new Museum Director, Craig Hadley. Craig stated he is happy to be with the City and looking forward to working with Council and staff.

**George Fry**– 308 elderberry Lane

- Noted that the City Infrastructure/Facility Committee meeting has been rescheduled to 7:00 a.m. Stated that this early time is difficult for residents to attend.

## **CONSENT AGENDA**

**MOTION** by Council Member Morris, seconded by Council Member Turco and carried 5-0 ADOPTING THE CONSENT AGENDA AS PRESENTED:

- a. Minutes of Regular meeting –February 15, 2011
- b. Approve Resolution No. 11-06, Approving Feeney Park Foundation bike ride through A.C.

## **REGULAR MEETING**

### 1. **2010 SEWER REHABILITATION PROJECT**

**MOTION** by Council Member Turco, seconded by Council Member Raggio and carried 5-0 ADOPTING PLANS AND SPECIFICATIONS FOR THE SEWER REHABILITATION PROJECT AND DIRECTING THE CITY ENGINEER TO SOLICIT PROJECT BIDS.

### 2. **CITY ADVISORY COMMITTEES: RESIDENCY REQUIREMENTS**

It was explained that the City Ordinance relating to Advisory Committees states that members must be residents of the City. The Museum Commission, in particular, has several members who are not residents and there has been a complaint registered. Council Member Morris read her opinion into the record:

“The Commission is the governing body of the museum and as such should be represented by residents of the City in that there are numerous powers and duties involving recommendations of policies and procedures, budgets, master plans, etc., that require a vote of Commission members.

A sub-advisory committee with any number of additional non-voting volunteer members would appear to be an appropriate solution to allow persons outside of the city to be involved in advising the Commission on programs and improvements in museum services as well as participating in developing a comprehensive long term plan for the museum development.

Ordinance #348 should be amended to allow such an advisory sub-committee.”

**Tad Folendorf** – Utica Lane (and ex-City Council Member)

Stated that when the Museum Commission was formed, it was designed for membership to be broader than within City Limits. He suggested the Museum ordinance be modified to allow non-residents members.

**Michelle Lee** – Owner of Angels Inn Motel

Stated that she is a business owner in the City but does not live within the City limits. Spoke in favor of non-residency on City Advisory Committees.

**Jerry Mills** – 5172 Hunt Road

Stated that he owns a business and two homes in the City but he also does not live within the City limits. Spoke in favor of non-residency on City Advisory Committees.

**Lori Kautz** – 2388 Highway 4

President of the Museum Foundation, Lori read a letter into the record (included in packet) recommending approval of non-residents members on the Museum Commission.

**Bob Menary** – ACBA President

Spoke in favor of non-residents serving as members on the Museum Commission.

**Tom Osborn** – 1753 Highway 4

Spoke in favor of non-residents serving as members on the Museum Commission and suggested members live within the boundaries of the City's sphere of influence.

**Anne Forrest** – 1545 Tryon Road

Spoke in favor of non-residents serving as members on the Museum Commission.

**George Fry** – 308 Elderberry Lane

Voiced his concern of non-residents serving as members on the Museum Commission.

Council Member Turco stated his only concern with the residency issue is the fiduciary responsibility of the voting members, i.e., non-residents voting on the use of City monies. Council Member Lynch suggested the majority of members be residents and restrict the number of non-resident members. Council Member Raggio agreed that persons living in the city's sphere of influence should be allowed as members. Mayor Boeding said he agrees with approving a majority of members being residents. The City Attorney suggested staff provide several options and bring recommendations to council at a future meeting.

**MOTION** by Council Member Turco, seconded by Council Member Lynch and carried 5-0 **DIRECTING STAFF TO PROVIDE COUNCIL WITH OPTIONS REGARDING MEMBER RESIDENCY OR NON-RESIDENCY ON CITY ADVISORY COMMITTEES.**

---

3. **ACCESS MANAGEMENT PLAN PRESENTATION**

Representatives from Caltrans provided a PowerPoint outlining the Access Management Plan.

---

4. **PUBLIC HEARING: ADOPT ORDINANCE #448**

Planning Director Dave Hanham reviewed the background of the large format retail store ordinance. He explained that after several reviews by Council and a reconsideration of a negative vote, the main change made to this ordinance was the square footage changing from 45,000 to 80,000.

8:00 p.m.          Open Public Hearing

**Jennifer Eldringham** – Angels Camp Resident

Spoke in support of the proposed ordinance.

**Bill Zost** – 320 Mill Court

Spoke in support of the proposed ordinance.

**George Fry** – 308 Elderberry Lane

Spoke in support of the proposed ordinance.

**Steve Fairchild** – 1448 Vallecito Road

Spoke in support of the proposed ordinance.

8:10 p.m.          Public Hearing Closed

Council Member Turco expressed his concerns over the maximum square footage size proposed in the ordinance. He pointed out that the Buxton Company, through a CDBG grant, would be providing information on the type of business's that would fit into Angels Camp. This has not even been looked at yet. He said he is not against growth in the community but wants to make sure it's done in the right way.

**MOTION** by Council Member Raggio, seconded by Council Member Lynch and carried 4-1 with Council Member Turco voting 'NO' **ADOPTING ORDINANCE NO. 448. AN ORDINANCE AMENDING TITLE 17, ZONING; CHAPTER 17.30, SUBURBAN COMMERCIAL ZONE DISTRICT OF THE CITY OF ANGELS' MUNICIPAL CODE**

---

5. **PUBLIC HEARING: WATER RATE STRUCTURE CHANGE**

Council Member Lynch reviewed the background.

8:20 p.m. Public Hearing Opened

**Abe Perry** – Stockton Road

Spoke in support of the proposed water rate change.

8:25 p.m. Public Hearing Closed

Council Member Morris pointed out that only those residents using 1000 cubic feet or more will benefit from this suspension and the Finance Officer has indicated there are over 1200 customers using less than 1000 cubic feet of water. Council Member Raggio stated that he cannot make an informed decision without additional information. He feels a rate study needs to be done first and pointed out that there are capital projects that need to be funded. He also stated that this is not a benefit for all the rate payers. Council Member Turco said that this is only a suspension. Council Member Morris suggested implementing an assistance program for customers who have difficulties in paying the water rate.

**MOTION** by Council Member Turco, seconded by Council Member Lynch and carried 3-2 with Council Members Raggio and Morris voting 'NO' ADOPTING RESOLUTION NO. 11-05. A RESOLUTION SUSPENDING WATER SERVICE RATES TO INCLUDE 1000 CUBIC FEET OF WATER IN THE BASE RATE.

Roll Call: Turco {Yes}, Morris {No}, Raggio {No}, Lynch {Yes}, Boeding {Yes}

---

6. **PARKING FEE INCREASE**

**MOTION** by Council Member Lynch, seconded by Council Member Raggio and carried 5-0 ADOPTING RESOLUTION NO. 11-07. A RESOLUTION APPROVING THE INCREASE OF \$3.00 FOR PARKING CITATION FINES.

---

7. **TRAFFIC MITIGATION FEE**

**MOTION** by Council Member Lynch to ADOPT RESOLUTION NO. 11-08. A RESOLUTION APPROVING THE TRAFFIC MITIGATION FEE 2011 ANNUAL REPORT AND TRAFFIC MITIGATION FEES.

The motion died due to lack of a second.

---

Meeting was adjourned at 9:00 PM.

---

Jack Boeding  
Mayor

ATTEST:

---

Mary Kelly  
City Clerk